

REMARKS

Claims 129-226 are pending in the application, with claims 129, 154, 179, and 203 being independent. Claims 1-128 have been canceled by the foregoing amendment, or were previously canceled. Claims 129-226 have been added. In light of the foregoing amendments and the remarks below, Applicant requests reconsideration and allowance of the present application.

Claims 34-69, 90-96, and 120-128 were rejected under 35 USC 101. Applicant submits that the cancellation of these claims obviates these rejections, and that new claims 129-216, and new claims 151-172 and 195-216 in particular, define patentable subject matter.

Claims 83-11 were reject under 35 USC 112, second paragraph. Applicant submits that the cancellation of these claims obviates these rejections.

Claims 1-2, 5-6, 10, 12, 15-17, 19-20, 22-25, 31-35, 38-39, 46, 48, 50-53, 55-56, 58-61, 68-69, 99-100, 102-105, 111-117, 119, 120-125, 127-128 are rejected under 35 U.S.C. 102(c) as being anticipated by Paul (U.S. Patent Number 6,052,709). Claims 3-4, 7, 36, 37, 40, 83-88, 90-95 are rejected under 35 U.S.C. 103(a) as being unpatentable over Paul (U.S. Patent Number 6,052,709). Claims 8, 9, 18, 21, 41-44, 54, 57, 98 and 101 are rejected under 35 U.S.C. 103(a) as being unpatentable over Paul, in view of Venkatachary et al. (U.S. Patent No. 6,212,184, hereinafter "Venkatachary"). Claims 26-30, 62-67, 89, 96, 106-110, 118, and 126 are rejected under 35 U.S.C. 103(a) as being unpatentable over Paul, in view of Aronson et al. (U.S. Patent No. 6,654,787, hereinafter "Aronson"). Applicant submits that the cancellation of these claims obviates these rejections and requests their withdrawal.

Furthermore, Applicant submits that new claims 129-226 are patentable over these references because, as explained below, none of these references describe or suggest all of the features of independent claims 129, 154, 179, and 203. In particular, none of the references describe or suggest "associating an address of a sending device with a *unique identifier* associated with a user of the sending device," as recited in independent claim 129 (and similarly in independent claim 154) or "associating an address of a sending device with a *user-defined identifier* associated with a user of the sending device," as recited in independent claim 179 (and similarly in independent claim 203).

Paul describes determining that an e-mail is likely junk e-mail and marking the e-mail as "JUNK." See, e.g., Paul, Col. 6, Lines 45-63. The Office Action equates the mark "JUNK" with the previously recited "sender identifier." Even assuming, for the sake of argument, that this is correct, the mark "JUNK" in Paul's system is not a unique identifier or a user-defined identifier, as presently recited.

In Paul's system, the mark "JUNK" is applied to any e-mail that is determined to be junk e-mail, regardless of who sends it. Thus, the mark "JUNK" is not a "unique identifier" as claimed in independent claims 129 and 154. Therefore, Paul can not and does not describe or suggest "associating an address of a sending device with a unique identifier associated with a user of the sending device," as recited in independent claim 129 (and similarly in independent claim 154).

Furthermore, the "JUNK" mark is not defined by the user. Rather, it is pre-defined by Paul's system and applied to all e-mails determined to be junk e-mail. Thus, the mark "JUNK" is not a "user-defined identifier" as claimed in independent claims 179 and 203. Therefore, Paul can not and does not describe or suggest "associating an address of a sending device with a user-defined identifier associated with a user of the sending device," as recited in independent claim 179 (and similarly in independent claim 203).

Applicant submits that Venkatachary and Aronson do not remedy the above described deficiencies of Paul, nor does the Office Action use them for this proposition.

Accordingly, at least for the reasons described above, independent claims 129, 154, 179, and 203, and the claims that depend from them, are allowable over Paul, Venkatachary, and Aronson. As such, Applicant respectfully requests withdrawal of these rejections.

It is believed that all of the pending issues have been addressed. However, the absence of a reply to a specific rejection, objection, issue, or comment, including the Office Action's characterizations of the art, does not signify agreement with or concession of that rejection, issue, or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue

with regard to any claim, except as specifically stated in this paper, and the amendment or cancellation of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment or cancellation. Applicant reserves the right to prosecute the rejected claims in further prosecution of this or related applications.

The fees in the amount of \$120 are being paid concurrently herewith on the Electronic Filing System (EFS) by way of Deposit Account authorization. Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

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